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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,034	07/08/2003	Jee-Eun Oh	Q75362	6642

23373 7590 01/03/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037	**EXAMINER** NEWAY, SAMUEL G

ART UNIT	PAPER NUMBER
2626	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/614,034	OH ET AL.
	Examiner	Art Unit	
	Samuel G. Neway	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 July 2003</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>08 July 2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>01/24/05, 03/07/06</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This is responsive to the Application filed 08 July 2003.

Drawings

2.   The drawings are objected to because it is believed that in FIG.2, the arrow from 201-2 should be pointing to 201-1. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

4.   Claims 13 – 18 are rejected under 35 U.S.C. 101 because the claimed invention

is directed to non-statutory subject matter.

Claims 13 – 18 are directed to a computer-readable medium that, according to

Applicants specification, may be accessed wirelessly. Thus, it would be reasonable to

interpret the computer-readable medium as covering energy signals. Such signals are

non-statutory absent being claimed with the necessary hardware to receive and convert

the signals to computer usable code.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1 –18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Shiau (USPGPub 2003/0078777) in view of Loats et al. (USPN 5,897,618).

Claim 1:

Shiau discloses a voice command processing method comprising:

(a) constructing a plurality of databases in which respective voice commands, including an operation name, are stored in each of said databases (Figure 9, items 915, 916, and related text);

(b) receiving one of said voice commands ("a query word or words are spoken for a given category ...", [0055]), but Shiau does not explicitly disclose separating the received voice command into terms that include the operation name and an object name.

In a similar method of selecting applications in a data processing system using voice command, Loats discloses separating the received voice command into terms that include the operation name and an object name ("speech recognition unit 152 parses the language spoken by the user to separated the words...recognizes that the user desires to execute a "switch to" command", col. 9, lines 46-52).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to separate the received voice command into its operation and object components in Shiau's method in order to enable his method to accept a voice command containing both the operation name and the object name at the same time as does Loats' method ("a user executed a "switch to Time and Place" command", col. 9, lines 40-43, note that the "switch to" is the operation name and "Time and Place" is the object name).

Shiau further discloses

(c) finding a database corresponding to the operation name within the databases

("maps to DB1 ... ", [0055], Figure 9 and related text); and

(d) finding the object name in the database corresponding to the operation name

found in (c) ("maps the pronounced speech to the appropriate URL ... ", [0055], Figure 9

and related text).

Claim 2:

Shiau and Loats disclose the method of claim 1, Shiau further discloses wherein

in (a), a database can be added to or deleted from the databases ("any language and

any words or word strings can be used depending on the word and word databases and

any content can be provided by the site depending on the contents of the databases

DB1, DB2, etc", [0057]. Note that since any content can be provided in the databases,

inherently a database can be added or deleted).

Claim 3:

Shiau and Loats disclose the method of claim 1, but Shiau fails to explicitly

disclose wherein in (c), when the database corresponding to the operation name is not

found, re-input of the voice command is requested.

Loats discloses wherein in (c), when the database corresponding to the operation

name is not found, re-input of the voice command is requested ("the user repeats the

command", col.4, lines 39-41).

It would have been obvious to request a re-input of the voice command in order

to distinguish between two similar voice commands (Loats, "when two or more

programs have the same or similar titles, the present invention accesses a first program

, ... If this is not the program desired by the user, the user repeats the command", col. 4, lines 37-42).

Claim 10:

Shiau and Loats disclose the method of claim 1, Shiau further discloses wherein said method is applied to at least one of an embedded mobile terminal, a speech recognition toy, a speech recognition language learning machine, a speech recognition personal communication system, a speech recognition household electric appliance, a speech recognition automated guide system, a speech recognition home automation machine, a speech recognition browser, and a speech recognition stock transaction apparatus ("uses include electronic games and toys, entertainment appliances, and any computers where voice input is desired", [0029]).

Claim 11

Shiau and Loats disclose the method of claim 1, Shiau further discloses generating an output signal corresponding to said found object name, processing said output signal, and outputting said processed output signal to at least one of a speaker and a display unit (Figure 1, item 107 and related text).

Claim 12:

Shiau and Loats disclose the method of claim 1, Shiau further discloses wherein (b) comprises:

(b-1) receiving said voice command and converting said voice command to a frequency to compare with a reference value ("parametric representation of words which are to be compared with the input speech words", [0032]); and

(b-2) analyzing said converted voice command and separating said converted

voice command into at least one of said operation name and said object name, for

forwarding to a control unit that executes (c) and (d) ([0032], [0055]).

Claims 4 – 9, and 13 – 18:

Claims 4 – 9, and 13 – 18 are directed to a system (claims 4 – 9) and a

computer-readable medium (claims 13 – 18) performing and storing the method of

claims 1 – 3, and 10 – 12. Claims 4 – 9, and 13 – 18 are rejected under the same

rationale as claims 1 – 3, and 10 – 12.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Chinn et al. (USPGPub 2003/0115289) discloses a system and a method for

navigating a data structure comprising a plurality of nodes using voice command.

Rabin (USPN 6,081,782) discloses a voice command control and verification

system and method using a single voice command to verify a user's identity and

to perform a requested command.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Samuel G. Neway whose telephone number is 571-270-

1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SN

DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
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